



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHAD EDWARD LARSON CZISNY,

Defendant.

Case No. SA CR 15-00024-CJC

REVISED ORDER OF DETENTION

I.

A. ☐ On motion of the Government in a case allegedly involving:

1. ☐ a crime of violence.

2. ☐ an offense with maximum sentence of life imprisonment or death.

3. ☒ a narcotics or controlled substance offense with maximum sentence of ten years or more.

4. ☐ any felony - where defendant convicted of two or more prior offenses described above.

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1 5. () any felony that is not otherwise a crime of violence that involves a
2 minor victim, or possession or use of a firearm or destructive device or
3 any other dangerous weapon, or a failure to register under 18 U.S.C. §
4 2250.

5 B. (X) On motion by the Government/() on Court's own motion, in a case
6 allegedly involving:

7 (X) On the further allegation by the Government of:

8 1. (X) a serious risk that the defendant will flee.

9 2. () a serious risk that the defendant will:

10 a. () obstruct or attempt to obstruct justice.

11 b. () threaten, injure or intimidate a prospective witness or
12 juror, or attempt to do so.

13 C. The Government (X) is/() is not entitled to a rebuttable presumption that no
14 condition or combination of conditions will reasonably assure the defendant's
15 appearance as required and the safety of any person or the community.

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17 II.

18 A. (X) The Court finds that no condition or combination of conditions will
19 reasonably assure:

20 1. (X) the appearance of the defendant as required.

21 (X) and/or

22 2. (X) the safety of any person or the community.

23 B. (X) The Court finds that the defendant has not rebutted by sufficient evidence to
24 the contrary the presumption provided by statute.

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III.

The Court has considered:

- A. (X) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;
- B. (X) the weight of the evidence against the defendant;
- C. (X) the history and characteristics of the defendant; and
- D. (X) the nature and seriousness of the danger to any person or the community.

IV.

The Court also has considered all the evidence presented at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation

V.

The Court bases the foregoing finding(s) on the following:

- A. (X) As to flight risk:

In making the determination whether conditions exist that would reasonably assure a defendant's appearance, this Court takes into account: (1) the nature and circumstances of the offense charged; (2) the weight of the evidence; (3) the history and characteristics of the person, including his character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and (4) the nature and seriousness of the danger to any person or community that would be posed by the person's release. 18 U.S.C. § 3142(g). The Court has discretion as to the weight to be accorded to each of these factors. The Court finds that by a preponderance of the evidence there are no conditions or combination of conditions

1 that would reasonably assure Defendant's appearance as required. Although
 2 Defendant is a longtime Central District resident with strong family ties, the Court
 3 remains concerned with his lack of employment, his history of substance abuse, his
 4 lengthy criminal history, and his history of probation violations, all of which give the
 5 Court considerable concern that Defendant would abide by the Court's conditions
 6 and not pose a danger to any person or the community if released. These concerns
 7 are exacerbated by the following: (1) Defendant is charged with possessing two
 8 firearms and over 1,000 rounds of ammunition; and (2) Defendant is charged in the
 9 First Superseding Indictment with possession with intent to distribute of more than
 10 200 grams of heroin.

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 12 B. (X) As to danger:

13 The charged offenses include possession of two firearms and over 1,000 rounds of
 14 ammunition. Defendant is also charged with possession with intent to distribute of
 15 more than 200 grams of heroin. Defendant has a lengthy criminal history that
 16 includes probation violations and is rooted in an underlying substance abuse
 17 problem. Finally, Defendant's possession of firearms despite his status as a
 18 prohibited person leaves the Court with little confidence that its terms and conditions
 19 will be respected.

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 23 VI.

24 A. () The Court finds that a serious risk exists the defendant will:

- 25 1. () obstruct or attempt to obstruct justice.
 26 2. () attempt to/ () threaten, injure or intimidate a witness or juror.

27 B. The Court bases the foregoing finding(s) on the following:
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VII.

- A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
- C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity for private consultation with counsel.
- D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined deliver the defendant to a United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: _____

4/17/2015



DOUGLAS F. McCORMICK
United States Magistrate Judge